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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 KURTIS MONSCHKE,

7 Petitioner,

v.

8 JAMES N. CROSS and ELDON VAIL,

9 Respondents.

10 No. C11-5276 RBL/KLS

11 ORDER ADOPTING REPORT AND
12 RECOMMENDATION

13 The Court, having reviewed the petition for writ of habeas corpus, the response, the
14 Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report
15 and Recommendation, if any, and the remaining record, does hereby find and **ORDER**:

- 16 (1) The Court adopts the Report and Recommendation.
17 (2) The petition for writ of habeas corpus (ECF No. 7) is **Denied and Dismissed
with prejudice**.
18 (3) The plaintiff is not entitled to a Certificate of Appealability with respect to this
19 petition.
20 (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for
21 Respondent and to the Hon. Karen L. Strombom.

22 **DATED** this 29th day of June, 2012.

23 
24 Ronald B. Leighton

25 United States District Judge